

09/59022  
Version of claims with markings to show changes made

1. (twice amended) A method for producing a fertile transgenic plant, comprising the steps of:

- (a) [introducing one or more genetic component(s) one desires to introduce into the genome of a plant by co-culturing] inoculating a regenerable plant cell or tissue selected from the group consisting of immature embryos or embryogenic callus from wheat or maize and hypocotyl sections or callus cell suspension cultures from soybean with Agrobacterium containing [said] a genetic component[(s)] capable of identifying a transformed plant cell or tissue to be introduced into the plant cell or tissue to produce an Agrobacterium-inoculated explant;
- (b) co-culturing said *Agrobacterium* [and regenerable plant cells or tissues] inoculated explant [of step (a) under conditions which decrease the weight of said *Agrobacterium*-inoculated explant] in a vessel not containing media];
- (c) identifying [or] and selecting a cell or tissue transformed with said genetic component [cell line]; and
- (d) regenerating a fertile transgenic plant therefrom.

2. (amended) The method of claim 1 wherein the regenerable cell or tissue is an immature embryo and is precultured prior to step (a).

3. (amended) The method of claim 1 further comprising the addition of water in an amount of between 50 - 300 microliters to said vessel at the co-culture step [wherein the conditions for co-culture comprise removal of moisture from the *Agrobacterium*-inoculated explant wherein the weight of the explant is reduced by not more than 50%].

Claim 4 has been cancelled.

5. (amended) The method of claim 3 wherein the weight of the *Agrobacterium*-inoculated explant is reduced by up to 30% during the co-culture period.

Claim 6 has been cancelled.

7. (amended) The method of claim 3 wherein the [moisture-limitation or removal period after inoculation with *Agrobacterium*] co-culture period is from one hour to about 6 days.
8. (amended) The method of claim 3 wherein the [moisture-limitation or removal period after inoculation with *Agrobacterium*] co-culture period is from about one day to about 4 days.
9. (amended) The method of claim 3 wherein the [moisture-limitation or removal period after inoculation with *Agrobacterium*] co-culture period is from about one day to about 3 days.
- Claims 10-17 have been cancelled.